

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER CIVITELLO,

No. C 05-04944 WHA

Plaintiff,

v.

SPECIAL VERDICT FORM

FIRST CREDIT OF AMERICA, INC.,

Defendant.

YOUR ANSWERS MUST BE UNANIMOUS.

CLAIMS

1. Has plaintiff proven by a preponderance of the evidence that defendant is liable under Section 1692c(a)(1) of the Fair Debt Collection Practices Act?

Yes_____ No_____

2. Has plaintiff proven by a preponderance of the evidence that defendant is liable under Section 1692e(8) of the Fair Debt Collection Practices Act?

Yes_____ No_____

3. Has plaintiff proven by a preponderance of the evidence that defendant is liable under Section 1692f(1) of the Fair Debt Collection Practices Act?

Yes_____ No_____

4. Has plaintiff proven by a preponderance of the evidence that defendant is liable under Section 1692d of the Fair Debt Collection Practices Act?

Yes_____ No_____

If you answered "yes" to any of Questions 1 through 4, continue to the following questions. If you answered "no" to all of the above questions, then you are finished and should sign and return the form in the envelope.

DAMAGES (ALL CLAIMS)

5. Has plaintiff proven by a preponderance of the evidence that he suffered injury, damage, or harm as a direct result of any of the acts or omissions of defendant or its agents?

Yes _____ No _____

6. If you answered "Yes" to Question 5, state the amount of damages proven by plaintiff as a result of defendant's acts or omissions.

\$ _____

7. If you answered "yes" to any of Questions 1 through 4, you may award up to \$1,000 total to plaintiff for defendant's violation of the federal Fair Debt Collection Practices Act.

\$ _____

8. If you awarded damages in Question 7, state whether any such violation of the Fair Debt Collection Practices Act was knowing and willful.

Yes _____ No _____

CONCLUSION

ONCE YOU HAVE FINISHED ANSWERING THE NECESSARY QUESTIONS UNANIMOUSLY, PLEASE HAVE THE FOREPERSON SIGN AND DATE THIS FORM. THEN CONTACT THE DEPUTY OR MARSHAL TO INFORM HIM OR HER THAT YOU HAVE COMPLETED YOUR DELIBERATIONS.

Dated: February ____, 2007

FOREPERSON